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PATENT Attorney Docket No. 8810-D7938 Express Mail No.: EJ123010984US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gary K. Michelson, M.D. Group Art Unit: 3301 Serial No.: 08/484,928 Examiner: M. Brown Filed: June 7, 1995 For: FRUSTO-CONICAL INTERBODY RECEIVED SPINAL FUSION IMPLANTS) RECEIVED NOV 1 0 1999 NOV 1 6 1999 **Assistant Commissioner for Patents** Washington, D.C. 20231 Group 3700 **Group 3700** Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a certification as specified by Section 1.97(e).

Each document listed in this Information Disclosure Statement was cited in a communication from the European Patent Office in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication. A copy of the Search Report is enclosed.

Copies of the listed documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

By:

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Date: November 3, 1999

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In re Application of:)	RECEIVED
Gary K. Michelson))	NOV 0 1 1990
Serial No.: 08/484,928) Group Art Unit: 3301	Group 3700
Filed: June 7, 1995) Examiner: M. Brown	
For: FRUSTO-CONICAL INTERBODY SPINAL FUSION IMPLANTS))	

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

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Effectively immediately, please address all future correspondence with respect to the

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Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: November 3, 1999

By:

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3712-PATENT

Attorney Docket No. 8810-D7938

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary K. Michelson

Serial No.: 08/484,928

Filed: June 7, 1995

For: FRUSTO-CONICAL INTERBODY

SPINAL FUSION IMPLANTS

Group Art Unit: 3301

Examiner: M. Brown

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Group 3700

I hereby certify that:

- Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(c)

- Change of Correspondence Address

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Assistant Commissioner of Patents Washington, D.C. 20231

Date: November 3, 1999

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Signature